

Message Text

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PAGE 01 STATE 064117
ORIGIN L-03

INFO OCT-01 NEA-10 ISO-00 /014 R

DRAFTED BY L/C:TTFHUANG:MB
APPROVED BY L/C:FAKWIA TEK
NEA/EGY:CAKENNEDY

-----096561 141256Z /41

R 132302Z MAR 78
FM SECSTATE WASHDC
TO AMEMBASSY CAIRO
INFO AMCONSUL ALEXANDRIA

UNCLAS STATE 064117

E.O. 11652: N/A

TAGS: EFIN, CPRS, EG, US

SUBJECT: PRIVATE CLAIMS: MRS. GERTRUDE ROBERTS ZULFICAR

REFS: (A) CAIRO 7200, (B) CAIRO 4462, (C) CAIRO DS-4,
NOVEMBER 30, 1977

1. DEPARTMENT REGRETS DELAY IN RESPONDING TO EMBASSY'S
INQUIRY CONCERNING CASE OF MRS. GERTRUDE ROBERTS ZULFICAR.
2. ON NOVEMBER 8, 1977, L/C-HUANG WROTE TO MRS. ZULFICAR'S
ATTORNEY IN ALEXANDRIA, MAITRE LORIS NASRI, INFORMING HER
THAT DEPARTMENT DID NOT HAVE SUFFICIENT INFORMATION TO MAKE
A JUDGMENT REGARDING THE VALIDITY OF MRS. ZULFICAR'S CLAIM.
L/C-HUANG OFFERED TO DISCUSS CASE IN PERSON WHEN HE WOULD
BE IN CAIRO ON ABOUT DECEMBER 2, 1977. AS EMBASSY KNOWS,
PLANS FOR VISIT OF L/C-HUANG TO EGYPT WERE POSTPONED
INDEFINITELY.
3. REVIEW OF AVAILABLE RECORD STILL POSES PROBLEMS FOR
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DEPARTMENT. IT IS NOT CLEAR WHETHER MRS. ZULFICAR'S
NATIONALIZED BONDS IN AMOUNT OF LE 2806 WERE PAID AS
COMPENSATION IN A COMPLETED NATIONALIZATION TRANSACTION
WHICH HAD BEEN AGREED TO BY MRS. ZULFICAR. IF MRS.
ZULFICAR HAD NOT VOLUNTARILY ACCEPTED THE COMPENSATION

PROPOSED BY EGYPTIAN AUTHORITIES UNDER THE NATIONALIZA-

TION, SHE DID NOT FILE A TIMELY CLAIM WITH DEPARTMENT ON OR BEFORE JANUARY 22, 1975. PERHAPS IT COULD BE CONTENDED, DEPENDING UPON THE CIRCUMSTANCES, THAT IT MIGHT BE A NEW TAKING OF PROPERTY AFTER THE ENTRY INTO FORCE OF THE 1976 PRIVATE CLAIMS AGREEMENT.

4. ON THE BASIS OF THE AVAILABLE RECORD, DEPARTMENT IS NOT READY TO QUESTION OR AGREE WITH ACTIONS OF BANQUE DU CAIRE IN ALEXANDRIA WITH RESPECT TO NATIONALIZED BONDS OF MRS. ZULFICAR. DEPARTMENT ALSO IS NOT READY TO TAKE MATTER UP WITH EGYPTIAN GOVERNMENT FOR AN AGREED INTERPRETATION OF THE AGREEMENT.

5. IN VIEW OF FOREGOING, WHETHER MRS. ZULFICAR'S CLAIM FALLS UNDER THE 1976 CLAIMS AGREEMENT INVOLVES BOTH A QUESTION OF FACT AND LEGAL INTERPRETATION OF THAT AGREEMENT. FOR MRS. ZULFICAR'S SAKE, DEPARTMENT WOULD PREFER NOT REPEAT NOT TO MAKE A DECISION AT THIS TIME BUT TO AWAIT AN OPPORTUNITY TO DISCUSS ALL THE DETAILS OF HER CASE WITH HER AND HER ATTORNEY, AS WELL AS WITH THE EGYPTIAN AUTHORITIES, AT SOME APPROPRIATE TIME IN FUTURE. THIS WOULD PRECLUDE FURTHER POSSIBLE ADVERSE COMPLICATIONS.

6. EMBASSY IS AUTHORIZED AND REQUESTED TO CONVEY CONTENTS OF THIS MESSAGE TO MRS. ZULFICAR OR HER ATTORNEY IN UNCLASSIFIED

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ALEXANDRIA. IF NEGOTIATIONS ON RESERVED U.S. CLAIMS AGAINST EGYPT SHOULD BE INORDINATELY DELAYED, CONSIDERATION MIGHT BE GIVEN TO THE POSSIBILITY OF A SEPARATE TRIP TO EGYPT BY L/C-HUANG CONCERNING STATUS OF NUMEROUS ACCUMULATED CASES AND BLOCKED BANK ACCOUNTS WHICH REQUIRE DISCUSSION WITH APPROPRIATE EGYPTIAN AUTHORITIES. EMBASSY REACTION WOULD BE APPRECIATED. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CLAIMS, NATIONALIZATION
Control Number: n/a
Copy: SINGLE
Draft Date: 13 mar 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE064117
Document Source: CORE
Document Unique ID: 00
Drafter: TTFHUANG:MB
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780113-0009
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780374/aaaackxx.tel
Line Count: 101
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: c33c74c8-c288-dd11-92da-001cc4696bcc
Office: ORIGIN L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 78 CAIRO 7200, 78 CAIRO 4462, 78 CAIRO 4
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 08 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3349401
Secure: OPEN
Status: NATIVE
Subject: PRIVATE CLAIMS: MRS. GERTRUDE ROBERTS ZULFICAR
TAGS: EFIN, CPRS, EG, US, (ZULFICAR, GERTRUDE ROBERTS)
To: CAIRO
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/c33c74c8-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014